

TENTATIVE RULINGS for CIVIL LAW and MOTION

December 2, 2015

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Please take note that Yolo Superior Court is now located at 1000 Main Street, in Woodland.

Telephone number for the clerk in Department Eleven: (530) 406-6843

TENTATIVE RULING

Case: Koehler v. Pavone
Case No. CV CV 15-125
Hearing Date: December 2, 2015 Department Eleven 9:00 a.m.

Cross-complainant Indoor Air Sciences's motion to amend its cross-complaint is **DENIED**. (Code Civ. Proc., § 473, subd. (a)(1); Cal. Rules of Court, rule 3.1324.) The declaration of Matthew C. Tabo, filed in support of the motion, fails to state when the facts giving rise to the amended allegations were discovered, and the reasons why the request for the amendment was not made earlier. (Cal. Rules of Court, rule 3.1324(b)(2)-(3).)

Cross-complainant Abe's AAA Plus, Inc.'s motion to amend its cross-complaint is **DENIED**. (Code Civ. Proc., § 473, subd. (a)(1); Cal. Rules of Court, rule 3.1324.) The declaration of Matthew C. Tabo, filed in support of the motion, fails to state when the facts giving rise to the amended allegations were discovered, and the reasons why the request for the amendment was not made earlier. (Cal. Rules of Court, rule 3.1324(b)(2)-(3).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.

TENTATIVE RULING

Case: Wulff v. Rendon
Case No. CV UD 15-647
Hearing Date: December 2, 2015 Department Eleven 9:00 a.m.

Defendants Gloria Rendon and Richard Gallegos's demurrer to the second amended complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) Defendants challenge the failure of the three day notice to pay rent or quit which they assert was attached to plaintiff's second amended complaint. However, there is no such attached exhibit to the complaint in the Court's file.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.